

Gary M. Hoffman (*Pro Hac Vice*)  
Kenneth W. Brothers (*Pro Hac Vice*)  
**DICKSTEIN SHAPIRO MORIN**  
**& OSHINSKY, LLP**  
2101 L Street, NW  
Washington, DC 20037-1526  
Phone (202) 785-9700  
Fax (202) 887-0689

Edward A. Meilman (*Pro Hac Vice*)  
DICKSTEIN SHAPIRO MORIN  
& OSHINSKY, LLP  
1177 Avenue of the Americas  
New York, New York 10036-2714  
Phone (212) 835-1400  
Fax (212) 997-9880

Jeffrey B. Demain, State Bar No. 126715  
Jonathan Weissglass, State Bar No. 185008  
ALTSHULER, BERZON, NUSSBAUM, RUBIN & DEMAIN  
177 Post Street, Suite 300  
San Francisco, California 94108  
Phone (415) 421-7151  
Fax (415) 362-8064

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

## **NOTICE OF MOTION AND MOTION TO VACATE ORDER**

Plaintiff Ricoh Company, Ltd. hereby moves to vacate the Court's Order of November 17, 2003.

On November 12, 2003, defendants filed their Motion to Shorten Time for Hearing on Motion to Stay Ricoh's Customer Suit and to Continue Ricoh's Motions to Compel. According to Civil Local Rule 6-3(c), plaintiff had until today, November 17, 2003, to file any opposition to defendants' motion. Prior to plaintiff filing its opposition today, the Court entered an Order granting defendants' motion. Plaintiff respectfully requests that the Court vacate today's Order and consider plaintiff's opposition before ruling on defendants' motion.

Dated: November 17, 2003

Respectfully submitted,

Ricoh Company, Ltd.

By: Jonathan Weissglass

Jeffrey B. Demain, State Bar No. 126715  
Jonathan Weissglass, State Bar No. 185008  
Altshuler, Berzon, Nussbaum, Rubin & Demain  
177 Post Street, Suite 300  
San Francisco, California 94108  
Phone: (415) 421-7151  
Fax: (415) 362-8064

Gary M. Hoffman  
Ken Brothers  
Eric Oliver  
DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP  
2101 L Street NW  
Washington, D.C. 20037-1526  
Telephone: (202) 785-9700  
Facsimile: (202) 887-0689

Edward A. Meilman  
DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP  
1177 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 896-5471  
Facsimile: (212) 997-9880

Attorneys for Ricoh Company, Ltd.